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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

IN RE: VOLKSWAGEN “CLEAN
 DIESEL” MARKETING, SALES
 PRACTICES, AND PRODUCTS LIABILITY
 LITIGATION

MDL No. 2672 CRB (JSC)

**STIPULATION AND PROPOSED
 AMENDED SCHEDULING ORDER**

Judge: Hon. Charles R. Breyer

This Document Relates To:

U.S. S.E.C. v. Volkswagen AG,
 No. 3:19-cv-1391-CRB

Plaintiff United States Securities and Exchange Commission (“Plaintiff”), Defendants Volkswagen AG and Volkswagen Group of American Finance, LLC (“VW”), and Defendant Martin Winterkorn (collectively, the “Parties”), through their undersigned counsel, hereby agree and stipulate as follows:

WHEREAS, on March 10, 2020, the Court entered the Parties’ proposed Scheduling Order, which set forth dates to file and brief Defendants’ motions to dismiss, the completion of fact and expert discovery, and to file and brief dispositive motions;

WHEREAS, on August 20, 2020, the Court granted in part and denied in part Defendants' motions to dismiss;

WHEREAS, on September 4, 2020, Plaintiff filed an amended complaint, which Winterkorn answered on October 15, 2020 and VW answered on October 16, 2020;

WHEREAS, the Parties have served and responded to substantial written discovery, including interrogatories and document requests, and made substantial document productions;

WHEREAS, the Parties have conducted numerous meet and confers in good faith attempts to resolve any discovery disputes, and continue to do so;

WHEREAS, the COVID-19 pandemic has substantially limited the Parties' ability to take and complete oral discovery, particularly depositions of VW's current and former employees residing in Germany;

WHEREAS, the Parties will need additional time to complete discovery and, thus, jointly request an extension of the dates set forth in the Court's Scheduling Order;

WHEREAS, the Parties have not previously requested an extension of these dates;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, that the Scheduling Order be amended as follows:

ACTION	Due Dates
Fact Discovery Cutoff:	June 10, 2022
Expert Reports Exchanged:	September 16, 2022
Rebuttal Expert Reports Exchanged:	November 18, 2022
Expert Discovery Cutoff:	December 16, 2022
Dispositive Motions & Opening Briefs:	February 17, 2023
Oppositions to Dispositive Motions:	April 14, 2023
Replies in Support of Dispositive Motions:	May 12, 2023

1 Pretrial Conference:	To be set by Court at later date
2 Trial:	To be set by Court at later date

3 This Stipulation may be executed in counterparts, and electronic or facsimile signatures shall
4 be deemed equivalent to original signatures.

5 IT IS SO STIPULATED.

6
7 Dated: December 17, 2021

Respectfully submitted,

8
9 /s/Daniel J. Hayes

Daniel J. Hayes

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16 *Attorneys for Plaintiff*

17 *U.S. Securities and Exchange Commission*

18
19 /s/ Suhana S. Han (with permission)

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25 *Attorneys for Defendants Volkswagen AG,*
26 *Volkswagen Group of America Finance, LLC*
27 *and VW Credit, Inc.*

Attorneys for Defendant Martin Winterkorn

* * *

DATED: _____, 2021

STIPULATION AND PROPOSED AMENDED SCHEDULING ORDER
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ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: December 17, 2021

/s/Daniel J. Hayes
Daniel J. Hayes